

DECISION ON APPLICANT REQUEST FOR RECONSIDERATION

Under section 60851 of title 2 of the California Code of Regulations, if the Bureau of State Audits or the Applicant Review Panel decides to exclude or remove an applicant from the pool of applicants being considered for selection to the Citizens Redistricting Commission, the applicant may, no later than 10 days after the date of the notification of exclusion or removal, request reconsideration of the decision if the decision was the result of an error relating to:

- Having a conflict of interest;
- Failing to satisfy the eligibility requirements for serving on the commission; or
- Failing to comply with the procedural requirements of the application process.

Name of the Applicant/Requestor: Celia McAdam.

Date of the notice of exclusion or removal: April 14, 2010.

Date the request for reconsideration was received: April 15, 2010.

Description of the alleged error that caused the exclusion or removal: Applicant incorrectly stated in Part 3 of the supplemental application that her husband, with whom she has a bona fide relationship, engaged in an activity within the past ten years that causes Applicant to have a conflict of interest that makes her ineligible to serve as a member of the Citizens Redistricting Commission.

Request for reconsideration is: Granted.

Reason for granting or denying the request: When answering "yes" to the question on the application that asks whether, within the past ten years, her husband has engaged in any of the activities that would cause Applicant to have a conflict of interest under the Voters FIRST Act, she went on to describe the activity on the application as contributing more than \$2,000 to his own campaigns for a seat on the county board of supervisors and a seat on the city council. However, under title 2, California Code of Regulations, section 60814, subdivision (a)(3), her husband's contributions to his own campaign for a local elective public office do not count in determining whether Applicant has a conflict of interest due to an immediate family member contributing \$2,000 or more to any congressional, state, or local candidate for elective public office in any year. Applicant affirmed, with regard to her husband's activities, that since her husband's contributions to his own campaigns for local elective public office do not create a conflict of interest, the answer she should have provided is "no," as he has not, within the past ten years, engaged in any of the activities that would cause Applicant to have a conflict of interest under the Act. It therefore appears that Applicant should not be excluded from the applicant pool.

Applicant's current status: Included in the supplemental applicant pool.

Name and title of person making decision: Steven Benito Russo, Senior Staff Counsel.

Date of decision: April 18, 2010.